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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Sherri Love,
Plaintiff

v.

Medical Unit E FMWCC, et al.,
Defendants

Case No.: 2:20-cv-00525-JAD-EJY

**Order Granting Motion
to Withdraw as Counsel and Referring
Case to the Pro Bono Program**

[ECF Nos. 231, 232]

Nevada inmate Sherri Love sues various prison officials and doctors for deliberate indifference to her medical needs in the treatment of her kidney disease and injuries she suffered after she fell out of a transport van at Florence McClure Women's Correctional Center (FMWCC). Three months ago I appointed the Federal Public Defender's Office to represent Love for the remainder of this case.¹ But a conflict of interest has developed, necessitating the office's withdrawal from Love's representation. So counsel moves to withdraw from further representation and to seal their motion because it reveals attorney-client privileged communications.²

I find that the conflict that counsel has identified provides good cause to permit their withdrawal from further representing Love in this civil-rights lawsuit, so I grant the motion to withdraw. And because the inclusion of attorney-client communications provides compelling

¹ ECF No. 214.

² ECF Nos. 231, 232.

1 reasons to seal the motion to withdraw that outweigh the traditional right of public access to this
2 filing,³ I direct the clerk of court to maintain the seal on this motion.

3 The withdrawal of pro bono counsel leaves Love in the position of having to move
4 forward with this litigation on her own. Although I will refer this matter to the pro bono pilot
5 program to attempt to locate another attorney to assist Love on a gratis basis, I cannot ignore that
6 the defendants filed a motion for summary judgment that has now gone without response for
7 eight months due to numerous requests for continuance by or on behalf of Love.⁴ Whether this
8 court will be able to locate another attorney to assist Love is uncertain, and this case has stalled
9 too long with a dispositive motion pending; further extensions of time will only cause this case to
10 languish. After numerous extensions, Love's response is now due a week from today.⁵ Because
11 I recognize that she will not likely receive a copy of this order for several days, I sua sponte
12 extend that deadline one last time to August 18, 2023. So **Love must file her opposition to the**
13 **defendants' motion for summary judgment by August 18, 2023. This deadline will not be**
14 **extended again.**

15 IT IS THEREFORE ORDERED that the motion to seal [ECF No. 231] is **GRANTED**.
16 The Clerk of Court is directed to **maintain the seal on ECF No. 232**.

17 IT IS FURTHER ORDERED that the motion to withdraw as counsel [ECF No. 232] is
18 **GRANTED**; the Federal Public Defender's Office is relieved of this appointment.

19 IT IS FURTHER ORDERED that this matter is referred to the Pro Bono Program for
20 appointment of counsel for Sherri Love in this case only for the remainder of this action.

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³ *Kamakana v. City and County of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006).


23 ⁴ ECF No. 160.

⁵ ECF No. 230 (minutes).

1 IT IS FURTHER ORDERED that the Clerk of Court is directed to:

- 2 1. **Forward this order to the Pro Bono Liaison, Bryce Jones at**
3 Bryce.Jones@nvd.uscourts.gov; and
- 4 2. **SEND to Plaintiff Sherri L. Love, inmate # 1023826, at FMWCC, 4370**
5 **Smiley Rd., Las Vegas, NV 89115, (a) a copy of **this order** and (b) a**
6 **copy of defendant's motion for summary judgment, **ECF No. 160**, with**
7 **all exhibits.**

8 **Love must file her opposition to the defendants' motion for summary judgment**
9 **[ECF No. 160] by August 18, 2023. This deadline will not be extended again.**

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12 U.S. District Judge Jennifer A. Dorsey
13 July 17, 2023
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